

**MINUTES OF THE
CITY PLANNING COMMISSION
JULY 13, 2007
J. MARTIN GRIESEL CONFERENCE ROOM
TWO CENTENNIAL PLAZA – SUITE 700
805 CENTRAL AVENUE**

CALL TO ORDER

Mr. Faux called the meeting to order at 9:02 a.m.

Commission Members:

Present: Caleb Faux, Jacquelyn McCray, John Schneider, and Scott Stiles.

Community Development and Planning Staff: Margaret Wuerstle, Bonnie Holman, Adrienne Cowden, William Forwood, Alex Peppers and Steve Briggs.

Law Department:

Julia Carney

The Chairman stated that he approved a request to hear Item #2 first.

DISCUSSION ITEMS

ITEM #2 A report and recommendation on the Historic Designation of the American Can Company Building located at 4101 Spring Grove Avenue in Northside.

Ms. Adrienne Cowden, Senior Planner presented this item.

Applicant / Owner: American Can Building, LLC

Type of Work: Historic Designation of the American Can Company Building

Background: On the request of the owner, the American Can Building, LLC, the City of Cincinnati Historic Conservation Office staff conducted a designation study of the American Can Company Building, located at 4101 Spring Grove Avenue in Northside. The owner is undertaking the adaptive reuse of the c. 1920 American Can Company Building as part of a larger proposed mixed-use development called Factory Square. The 8½-acre, irregularly shaped site of Factory Square is located at the northeast corner of Hamilton Avenue and Blue Rock Street.

The master plan for Factory Square involves certified historic rehabilitation of the American Can Company Building, to take advantage of Federal and State Historic Tax Credits. In order to qualify for the State Historic Preservation Credit, a building must be listed either as a local landmark in a Certified Local Government or in the National

Register of Historic Places. Presently the American Can Company Building is neither. Applications will be accepted beginning on July 2, 2007, and the application process is expected to be highly competitive.

The developer received preliminary determination of eligibility from the National Park Service in 2006 and on June 18, 2007 the City of Cincinnati Historic Conservation Board voted unanimously to recommend favorably the designation of the American Can Company Building to the Ohio Historic Preservation Site Advisory Board (OHSPAB). With OHSPAB not scheduled to consider the nomination until August 3, 2007 and review of the nomination by the Keeper of the National Register to follow, it is unlikely the property will be formally listed in the National Register of Historic Places before December 2007. In order to qualify for a State Historic Preservation Tax Credit the property owner is seeking Local Landmark designation through the City of Cincinnati, which is a Certified Local Government. The newly enacted State Historic Preservation Tax Credit represents a critical funding source for Factory Square and the American Can Company Building.

Description and Findings: Attached to this cover report are the designation report, proposed boundaries, and conservation guidelines for the American Can Company Building. These materials along with the Board's and the Commission's recommendations, public statements presented to either body and any correspondence received will be presented to City Council.

The City Planning Commission should refer to the attached designation report for a discussion of the proposed district boundaries, historic and architectural significance and staff findings. The Historic Conservation Board (Board) will review the designation study at its regularly scheduled meeting on July 9, 2007. A brief summary of the Board's decision and any relevant commentary will be provided to the City Planning Commission (Commission) for its consideration by e-mail and at the July 13, 2007 meeting.

Recommendation:

Staff recommended that the City Planning Commission favorably recommend to City Council the designation of the American Can Company Building as a Local Landmark, as described in the "American Can Company Building Designation Report" and platted on the accompanying map, including the adoption of the "American Can Company Building Conservation Guidelines."

DISCUSSION

Ms. Cowden gave a brief overview of the staff report and informed the Planning Commission members that on Monday, July 9, 2007 the City of Cincinnati Historic Conservation Board voted unanimously to recommend favorably the designation of the American Can Company Building to the Planning Commission.

Mr. Faux stated that in 2006 the Planning Commission had approved a PD that included the American Can Company Building as part of a larger proposed mixed-use development called Factory Square. He said that he felt that the American Can Building was a historically significant and prominent structure and supported the historic designation.

Motion: Ms. McCray moved approval of Item #2.
Second: Mr. Schneider
Ayes: Mr. Faux, Ms. McCray, Mr. Schneider and Mr. Stiles
Nays: None, **motion carried**

ITEM #1 A report and recommendation on Re-Plat of Lot 4 of The Banks Subdivision from Phase 2, which is located west of Main Street, north of Freedom Way and east of Walnut Street.

Mr. Steve Briggs, Senior Planner presented this item.

BACKGROUND:

McGill Smith Punshon, on behalf of the City of Cincinnati and the Board of County Commissioners of Hamilton County, the owners and developers, submitted the Re-Plat of Lot 4, The Banks, Phase II Subdivision. The plat has been reviewed and approved by all agencies.

HISTORY:

In January 23, 1998, September 17, 1999 and October 15, 1999 the City Planning Commission had the benefit of presentations on the Memorandum of Understanding between Hamilton County and City of Cincinnati as related to the future riverfront development for the new stadiums, The Banks and Riverfront Park.

The Cincinnati Central Riverfront Urban Design Master Plan was approved by City Council on October 4, 2000 (Ord.366-2000) as the City's planning guide for the Cincinnati Central Riverfront. Urban Design Associates prepared the plan from 1996 to its adoption in the 2000. Prior to City Council action the City Planning Commission approved amendments to the Cincinnati 2000 Plan and provided conceptual approval to the Central Riverfront Plan on March 17, 2000

The City Planning Commission approved the Subdivision Improvement Plan for the Banks Subdivision on June 30, 2000. This improvement plan established the street grid and 13 blocks that included the Reds Stadium, Great American Ball Park.

The Plat of Subdivision for The Banks – Phase 1 was approved on December 15, 2000. This record plat dedicated Theodore M. Berry Way and created lots for the proposed National Underground Railroad Freedom Center.

The Plat of Subdivision for The Banks – Phase 2 was approved on October 4, 2002. This record plat dedicated the remaining street right-of-ways of Main Street, Walnut Street and Race Street. In addition, the building lots were established corresponding to the 13 blocks identified in the improvement plan.

On May 17, 2006 City Council approved Planned Development [PD] District No. 43 for The Banks, located south of Second Street, between Elm Street and Main Street and extending to Central Avenue and Broadway south of Mehring Way.

SUBDIVISION:

The Re-Plat of Lot 4, The Banks, Phase II Subdivision effectively creates a vertical subdivision. The subdivision provides for future parking garages below contour elevation 510 feet controlled by Hamilton County [Lot 14A & 15A] and air rights above contour elevation 510 feet [Lot 14B & Lot 15B] controlled by the City of Cincinnati.

RECOMMENDATION:

The staff of the Department of Community Development and Planning recommended that the City Planning Commission take the following action:

Approve the Re-Plat of Lot 4, The Banks, Phase II Subdivision, located west of Main Street, north of Freedom Way and east of Walnut Street for the reason that the plat conforms to the Subdivision Regulations and has the approval of all reviewing agencies.

DISCUSSION

Mr. Briggs gave a brief overview of the staff report and presented a map to illustrate the proposed Re-Plat. He stated that the subdivision would provide for future parking garages below contour elevation 510 feet controlled by Hamilton County [Lot 14A & 15A] and air rights above contour elevation 510 feet [Lot 14B & Lot 15B] controlled by the City of Cincinnati.

Mr. Faux stated that the Planning Commission members were familiar with the project.

Motion:	Ms. McCray moved approval of Item #1.
Second:	Mr. Schneider
Ayes:	Mr. Faux, Ms. McCray, Mr. Schneider and Mr. Stiles
Nays:	None, motion carried

ITEM #3 **BY-LEAVE** A report and recommendation on approving and accepting the properties donated to the City of Cincinnati from the Hamilton County Park District to be under the control of the Board of Park Commissioners in the vicinity of Mt. Airy Forest.

Ms. Margaret Wuerstle, Chief Planner presented this item.

City Council referred to the City Planning Commission the subject ordinance for review and report.

PURPOSE:

The Hamilton County Park District (HCPD), in partnership with the Cincinnati Park Board applied for and received grants from the Clean Ohio Fund to purchase several properties in the vicinity of Mt. Airy/ Greeno Woods. The purpose of the acquisitions is to complete a greenway of connected nature preserves called for in the City Park Board Master Plan. HCPD has now completed several of these acquisitions, using a combination of their own resources and State funding, and as anticipated, is preparing to have the properties transferred to the Cincinnati Park Board. The properties are adjacent to a number of Park Board preserves including Fox Preserve, Bradford-Felters Tanglewood, and Mt. Airy Forest and Greeno Woods. The sites are heavily wooded hillside property and are appropriate to consider as preserves or as extensions of existing preserves.

RECOMMENDATION:

The Department of Community Development and Planning staff recommended that the City Planning Commission approve the ordinance authorizing the City Manager to enter into and execute the approval and acceptance of properties donated to the City of Cincinnati from the Hamilton County Park District as follows:

1. Parcel No. 227-1-12, 15, 16, 121 & 122 (commonly known as the “Agape Property”)
2. Parcel No. 228-4-17, 227-2-10 and 227-5-6 (commonly known as the “CG&E Property”)
3. Parcel No. 228-4-185 (commonly known as the “Hensley Property”)
4. Parcel No. 228-6-12 & 13, and 228-5-14 & 15 (commonly known as the “Thomas Property”)
5. Parcel No. 228-6-14, 31 & 34 (commonly known as the “Eynon Property”)

DISCUSSION

Ms. Wuerstle explained that when this item was presented to the Planning Commission at the July 6, 2007 meeting, a couple of lots were inadvertently left off the staff report. Cincinnati Park Board staff discovered the omission and suggested submission of a corrected staff report to the Planning Commission for approval.

Motion:	Ms. McCray moved approval of Item #3.
Second:	Mr. Schneider
Ayes:	Mr. Faux, Ms. McCray, Mr. Schneider and Mr. Stiles
Nays:	None, motion carried

ADJOURN

Motion:	Ms. McCray moved approval of Item #2.
Second:	Mr. Schneider
Ayes:	Mr. Faux, Ms. McCray, Mr. Schneider and Mr. Stiles
Nays:	None, motion carried

Margaret A. Wuerstle, AICP
Chief Planner

Date: _____

Caleb Faux, Chair

Date: _____